IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE THIRTIETH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO: 21981 of 2004

Between:

Gadiraju Naga Raju, S/o. Anji Raju,

Hindu, aged about 26 years, C/o. G. Mruthyumjaya Rao,

Resident of Door No.1-54, Kesarapalli Post,

Gannavaram Mandal, Krishna District.

... PETITIONER

AND

1. The Senior Manager (ATC)

   Air Ports Authority of India,

   Vijayawada Air Port,

   Vijayawada-521 102,

   Krishna District

2. The District Employment Officer,

   C/o The District Employment Exchange,

   Vijayawada, Krishna District

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the

circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus or any other appropriate writ, declaring the action of the respondents in not allowing the petitioner to appear for Written Test/interview for selection and appointment to the post of Junior Attendant/Electrician as illegal, arbitrary and contrary to the Judgment of the Hon'ble Supreme Court of India reported in 1996 (6) Scale 676 in Excise Superintendent Malakapatnam, Krishna District VS, K,B,N, Visweswara Rao and consequentially direct the respondents to consider the case of the petitioner for selection and appointment to the post of Junior Attendent/Electrician without insisting that the name of the petitioner to be sponsored by the Employment Exchange and pass such other or further order as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.B.P.RAJU

Counsel for the Respondents: G.P. for Labour and Employment.

The Court, at the admission stage, made the following:

ORDER:

Heard the learned Counsel for the petitioner and the learned Government Pleader for Labour and Employment.

The petitioner claims that the 1st respondent is undertaking the selections and appointments to the post of Junior Attendant/Electrician and the interviews therefor are scheduled to be held on 2.12.2004 or any other subsequent date. It is his case that he has applied for the post but was not issued the call letter on the ground that he is not sponsored by the Employment Exchange.

The Honourable Supreme Court in EXCISE SUPERINTENDENT, MALKAPATNAM, KRISHNA DISTRICT V. K.B.N.VISWESWARA RAO has taken the view that sponsoring by the Employment Exchange is not a condition precedent for a candidate to be considered for public employment and all the eligible candidates, irrespective of the fact whether they were sponsored by the Employment Exchange or not, are entitled to be considered.

The writ petition is accordingly disposed of directing the 1st respondent to consider the case of the petitioner for appointment to the post of Junior Attendant/Electrician without insisting on his having been sponsored by the Employment Exchange. No costs.

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N.V.RAMANA, J

30TH NOVEMBER, 2004

Gsn

To

1. The Senior Manager (ATC)

Air Ports Authority of India,

Vijayawada Air Port,

Vijayawada-521 102,

Krishna District

2. The District Employment Officer,

C/o The District Employment Exchange,

Vijayawada, Krishna District

3. Two C.Cs to the G.P. for Labour and Employment,

High Court Buildings, Hyderabad.

4. 2 C.D. copies.